

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

MASSACHUSETTS INSTITUTE OF
TECHNOLOGY,

Plaintiff,

v.

HARMAN INTERNATIONAL
INDUSTRIES, INCORPORATED,

A Delaware Corporation,

Defendant.

Case No. 05-10990 DPW
Magistrate Judge Judith G. Dein

**HARMAN'S ASSENTED-TO MOTION TO SEAL EXHIBITS IN SUPPORT
OF ITS MEMORANDUM IN SUPPORT OF ITS PROPOSED
CLAIM CONSTRUCTIONS**

Pursuant to Local Rule 7.2, Defendant Harman International Industries, Inc. ("Harman") hereby respectfully moves for an Order to provide for Harman's submission of confidential materials under seal in support of Harman's Memorandum in Support of Its Proposed Claim Constructions, filed on March 30, 2007:

In support of this Motion, Harman states the following:

1. Pursuant to paragraph 7 of the parties' Protective Order in this case, which was entered by the Court on January 31, 2006 (Docket Entry 42), any documents designating, disclosing or referencing any Confidential Information or Highly Confidential Information shall be filed under seal in accordance with the Court's Local Rules.

2. In support of Harman's Memorandum in Support of Its Proposed Claim Constructions, Harman seeks to file under seal the following documents which were produced by MIT and designated as "Highly Confidential": (1) MIT 04358-04359 as Exhibit M; (2) MIT 01936-01937 as Exhibit U; (3) MIT 01878-01880 as Exhibit V; (4) MIT 01894-01905 as Exhibit X; (5) MIT 01938-01940 as Exhibit Y; and (6) MIT 01875-01876 as Exhibit Z.

3. In support of Harman's Memorandum in Support of Its Proposed Claim Constructions, Harman seeks to file under seal the following documents which were produced by MIT and designated as "Confidential": (1) MIT 00061-00062 as Exhibit A; and (2) MIT 00063 as Exhibit AA.

3. In support of Harman's Memorandum in Support of Its Proposed Claim Constructions, Harman seeks to file under seal the following excerpts of deposition transcripts which were designated as "Confidential": (1) excerpts from the deposition transcript of Christopher M. Schmandt as Exhibit H; (2) excerpts from the deposition transcript of James R. Davis as Exhibit L; and (3) excerpts from the deposition transcript of Barbara J. Grosz, Ph.D. as Exhibit N.

4. In support of Harman's Memorandum in Support of Its Proposed Claim Constructions, Harman seeks to file under seal the following documents which were produced by Harman and designated as "Outside Counsel Only": HAR 04295-04308 as Exhibit BB.

WHEREFORE, Harman respectfully requests that the Court enter an Order permitting Harman to file under seal Exhibits A, H, L, M, N, U, V, X, Y, Z, AA, and BB in support of Harman's Memorandum in Support of Its Proposed Claim Constructions, filed on March 30, 2007.

Certificate of Compliance with Local Rule 7.1

Harman, by and through its attorneys, hereby certifies that it conferred with MIT's counsel on March 30, 2007, and counsel for MIT has assented to this motion.

Dated: March 30, 2007

Respectfully submitted,

/s/ Courtney A. Clark

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CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing and paper copies will be sent to those indicated as non-registered participants on March 30, 2007.

/s/ Courtney A. Clark

Courtney A. Clark